IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.6220 OF 2005

Fredoon M. Dalal & Ors. ...Petitioners.
Vs.
Nayan Manubhai Amin & Ors. ...Respondents.

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Mr. R.N. Bhagattjee for the Petitioners.
Mr. Makkar with Mr. Ranjeet Shetty i/b. PDS Legal for Respondent No.18.

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CORAM : DR.D.Y.CHANDRACHUD, J.

June 21, 2006.

P.C.

At the hearing of this Petition, Counsel appearing on behalf of the Petitioner has fairly stated before the Court that the prayers which were sought in Interim Notice No.587 of 2005 were not properly drafted. Consequently, Counsel seeks permission of the Court to withdraw Interim Notice 587 of 2005 since the Petitioner seeks to file appropriate proceedings for setting aside the abatement. Interim Notice 587 of 2005 in Appeal No.242 of 1999 in RAE Suit No.242/1942 of 1963 is accordingly dismissed as withdrawn. In that view of the matter, it is not necessary for this Court to express any opinion on the correctness of the judgment passed by the Court below. It is needless to say that in the event

that a fresh Interim Notice is taken out, it will be considered on its own merits by the Trial Court. The Petition is accordingly disposed of.

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